

# **Rules and Regulations**

## **Of**



# **Albertus**

# **Municipal**

# **Airport**

# *City of Freeport*

## **RULES and REGULATIONS**

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## Section One

### **PURPOSE**

The City of Freeport, Illinois, hereafter the “City”, is the owner of the Freeport Albertus Municipal Airport, hereinafter “Airport”, which is managed by the City’s Airport Manager, as defined herein. The requirements for policing the Airport are necessarily distinct and different from those for other properties owned by the city. For public safety control of the operational and other working areas, must be exercised, and must be based on the municipal ordinance power of the City in order to be enforceable.

The administration of these Rules and Regulations is the responsibility of the Airport Manager, augmented by the Freeport Police Department where designated. Further, areas of the airport to which the general Public cannot be allowed free access for reasons of safety and interference with Airport operations, must be distinguished from those areas to which the public has unrestricted access. Unrestricted access consists of Airport roads, Public Vehicular Parking Areas, and general aviation terminal areas. Reference herein to certain areas as those to which the public has, or does not have, access for general purposes, or similar phrases is not to be construed as limiting or qualifying the public purposes character of the Airport.

These rules and regulations are enacted by the Airport Commission of the City of Freeport, pursuant to Section 274.14 of Chapter 274 – Airport Commission, of the Codified Ordinances of the City of Freeport, Illinois. It is the intent in enacting these Rules and Regulations that they be consistent with all federal, state and local laws and regulations to the extent such consistency is legally required, including grant assurances, and that the facilities comprising the Airport be available on a fair and reasonable basis.

It is the purpose of these Rules and Regulations to provide for:

- 1.1 The management and administration of those portions of the Airport to which access by the public is restricted;
- 1.2 The policing of all areas of the Airport;

- 1.3 Defining the duties of the City's Police department on or in connection with the Airport includes processing complaints filed with them by the Airport Manager:
- 1.4 Promoting compatibility of multiple aeronautical activities on the airport, and the safety and efficiency of Airport operations; and
- 1.5 Providing for the orderly development of the Airport and its facilities for the common good of the people of the City of Freeport.

## Section Two

### DEFINITIONS

The following terms as used in this ordinance shall have the following meanings:

- 2.1 **Aircraft** shall mean and include any and all contrivances now or hereafter used for the navigation of, or flight in, air or space, including but not limited to airplanes, lighter than air crafts, hot air balloons, helicopter, glider, amphibian airplanes, ultralight aircraft and seaplanes.
  - a. Small Aircraft shall have a maximum gross weight of less than 12,500 pounds.
  - b. Large Aircraft shall have a maximum gross weight of 12,500 pounds or more.
- 2.2 **Airport** shall mean the land and improvement owned by the City and designated by the City for use as a navigational facility known as Freeport Albertus Airport, the facilities and boundaries of which may be modified from time to time.
- 2.3 **Airport Rules and Regulations** shall mean the provisions of this document, as now drafted and may hereafter be amended.
- 2.4 **Based Aircraft** shall include aircraft hangared or tied down on the Airport for two or more nights in any week and two or more such weeks in any month.
- 2.5 **Chapter Flights** shall mean those flights other than regular scheduled airline service on which cargo and passengers are carried for hire.
- 2.6 **City** shall mean the City of Freeport, Illinois.
- 2.7 **City's Police Department** shall mean the Police Department of the City of Freeport, Illinois.
- 2.8 **Commercial Activity** shall mean any and all activity including Commercial Aviation Activity and activity conducted at or from the Airport by any Person in which any

product is sold or exchanged or any service is provided for users of the Airport and its facilities for monetary gain or exchange of goods or services.

- 2.9 Commercial Aviation Activity** shall mean any and all activity, including that not engaged in with a view to profit, conducted at or from the Airport by any Person in furtherance of the commercial aviation, including the operation of a Fixed Base Operation, maintenance, repair or servicing of equipment sales, the provision of scheduled or non-scheduled air carrier passenger, charter flight, freight, express package, courier or mail service, student flight instruction commercial flight operation.
- 2.10 Commercial Operating Permit** shall mean a written instrument under which the City grants to a Person the authority to engage in Commercial Activity at the Airport, including, leases, contracts for management, and commercial operation agreements.
- 2.11 Fixed base Operation** shall mean an operation conducted at the Airport by a Person having the right or obligation under an existing Commercial Operating Permit, including an Airport lease or management contract, to furnish any or all of the following service:
- a. storage and/or tie down of Aircraft;
  - b. repair and/or maintenance of Aircraft;
  - c. the sale of new and /or used aircraft, aircraft parts or equipment;
  - d. the repair, sale and/or maintenance of aircraft radios, instruments and/or electronic equipment;
  - e. Aircraft charter, rental and/or lease;
  - f. Flight instruction; and
  - g. The sale of aviation fuels and other Petroleum Products.
- 2.12 Flying Club** shall mean a not-for-profit membership corporation, lawfully incorporated, organized and/or operating for purposes of providing flight instruction for its members only and/or providing Aircraft for use by its members only.
- 2.13 Fuel Delivery** shall mean the delivery of aviation Petroleum Products by third party vendors to the Fixed Base Operators, in the Fuel Storage Areas.
- 2.14 Fuel storage area** shall mean and include those portions of the Airport designated temporarily or permanently by the City, or its designated representative, as areas in which gasoline, jet fuel or any other type of fuel may be stored.

- 2.15 Manager or Airport Manager** shall mean the Person or entity designated by the City having immediate in-charge of and responsibility for the supervision of the daily operation and activities of the Airport. In the event an entity other than an individual is designated as the Airport manager, such entity shall designate an individual to exercise the authority of Airport Manager, and a second individual to serve as an alternate Airport manager in the absence of the individual primarily designated.
- 2.16 Minimum Standards** shall mean the provisions of chapter 1 070-Freeport Albertus Municipal Airport, of the codified Ordinances of the City of Freeport, Illinois, as it may be from time to time amended.
- 2.17 Off Airport users** shall mean those Person with Aircraft housed or stored on parcels of land adjacent to the Airport, which have received Permission for the use of the Airport.
- 2.18 Operational Area and Airport Operational Area (AOA)** shall mean that area of the Airport, including runways and taxiways, designated by the City or its designated representative to be used or intended to be used for aeronautical activity, including the landing, takeoff, run up, or surface maneuvering of Aircraft and which areas have not been leased to anyone for their exclusive use and other areas adjacent to the runways and taxiways.
- 2.19 Operator** shall mean any Person responsible for or in control of any Aircraft on, or in the vicinity of Albertus Airport for any purpose whatsoever.
- 2.20 Permission** shall mean prior Permission granted by the Manager or a representative designated by the manager.
- 2.21 Person** shall mean any individual, firm, partnership, corporation association, society, or company (including any assignee, receiver, trustee or similar representative thereof).
- 2.22 Petroleum Products** shall mean any Aircraft or vehicle fuel or lubricant delivered to or dispensed at the Airport.
- 2.23 Public Aircraft Parking Area** shall mean and include those portions of the Airport designated and made available temporarily or permanently by the City or its designated representative to the public for the parking or storage of the Aircraft.
- 2.24 Public Apron Areas** shall mean and include those portions of the Airport designated and make available by the City or its designated representative to the public for the loading or unloading of passengers and/or cargo on and from Aircraft.

- 2.25 Public Vehicular Parking Area** shall mean and include those portions of the Airport designated and made available by the City or its designated representative to the public for the parking of Vehicles.
- 2.26 Refueler** shall mean any Vehicle used on the Airport for the Refueling of Aircraft and authorized by a valid permit issued by the Airport Manager.
- 2.27 Refueling** shall mean the transporting and dispensing of aviation Petroleum Products on the Airport for the purpose of fueling and defueling of Aircraft at the Airport.
- 2.28 Vehicle** shall mean and include automobiles, trucks, buses, motorcycles, tractors, Refuelers, bicycles, pushcarts and any other device in or upon which any Person or property is or may be transported, carried or drawn upon land, other than Aircraft.

### Section Three

## GENERAL PROVISIONS

- 3.1 Entry Upon or Use of Airport** – Entry upon the Airport shall be made only at locations designated by the City from time to time. Any entry upon or use of the Airport or any part thereof is conditioned upon compliance with the Airport Rules and Regulations; and entry upon or into the Airport by any Person shall be deemed to constitute an agreement by such Person to comply with the Airport Rules and Regulations. All leases and agreements for use of the airport or its facilities, or any portion thereof, including T-hangars and tie-downs, shall be deemed to be subject to these rules and regulations.
- 3.2 Storage of cargo or Property** – Unless otherwise provided in a written agreement with the city, or with Permission, no Person shall use any area of this Airport for storage of cargo or other property. In the event of a violation of this provision, the Manager shall have authority to order the cargo or other property removed, or to cause the same to be removed and stored at the expense of the owner or consignee thereof, without liability for damage thereto arising from or out of such removal or storage on the part of the City, the Manager or their agents or employees.
- 3.3 Fees and Charges** – Any Person landing or taking off in an Aircraft on or from the Airport shall be responsible for the payment of such fees and charges as may from time to time be prescribed by the City.

- 3.4 Aircraft Parts or Equipment** – No Person shall disturb, move or remove any aircraft parts or other equipment found on the Airport or as a result of an Aircraft accident, until release of the Aircraft, or parts thereof, by the Manager and the National Transportation Safety Board or the Federal Aviation Administration.
- 3.5 Liability** – The City shall not be responsible for loss, injury or damage to Persons or property by reason of fire, theft, vandalism, wind flood, earthquake or collision damage, nor shall they be liable for injury to Persons while on the airport or using Airport Facilities.
- 3.6 Damage to Airport Property** – Any Person causing or witnessing damage to airport property shall report such damage to the Airport Manger as soon as possible, but in no event later than 24 hours following such damaging. The manager may require a written report. Any Person causing or being responsible for such damage shall reimburse the City of Freeport for all cost and repair and replacement of damaged property.
- 3.7 Federal Aviation Regulations** apply to all activities and operations on or in the vicinity of the Airport, and when in conflict with these Rules and Regulations shall take precedence, except to the extent such FAR’S and Regulations shall apply.

#### Section Four

### COMMERCIAL ACTIVITY

- 4.1 Commercial Activity** – No Person shall engage in the sale or rental of any commodities, supplies or services, or any business or Commercial Activity whatsoever within the limits of the Airport without a current Commercial Operating Permit, contract, lease or other written agreement with the City of the manager permitting such activities.
- 4.2 No Discrimination** – No Person shall, in the use of the Airport or any of the facilities located thereon, discriminate or permit discrimination against any other Person or group of Persons on the grounds of race, color creed, national origin, gender or physical ability, in any manner prohibited by PART 21 of the Regulations of the Office of the Secretary of Transportation and TITLE VI of the Civil Rights Act of 1964. In the event of Noncompliance with the above provision, the City shall take such action as the Federal



Government may direct to enforce such compliance. No Person shall engage in any Commercial Aviation Activity for furnishing services to the public at the Airport unless:

- a. said service is conducted on a fair, equal and not Unjustly discriminatory basis to an users thereof; and
- b. fair, reasonable and not unjustly discriminatory prices are charged for each unit or service: provided that reasonable and nondiscriminatory discounts, rebates or other similar types of price reductions may be made to volume purchasers.

**4.3 Insurance** – Any Person engaging in any business, Commercial Activity or Storing an Aircraft on the Airport shall carry insurance for the protection of its customers, guests and invitees and the City and its officers, agents and employees. The type and amount of this coverage shall be as established in the Commercial Operating Permit, Contract, lease or other written agreement with the City or the Manager, which agreement shall be executed in accordance with applicable City Ordinances.

**4.4 Hold Harmless** – Any Person engaging in Commercial Activity on the airport shall accept all the operational and financial responsibilities of its Commercial Activity and defend, indemnify and hold the City and its officers, agents and employees harmless of any liability incurred because of such operations.

**4.5 Pilot School/Student Training** – No Person or firm shall engage in flight instructions which originate or terminate at the Airport unless prior to giving such instructions he shall register his flight instruction certificate with of the office of the Airport Manager, submit his certificate for inspection by the airport Manager, and submit a certificate of liability insurance providing a minimum of \$1,000,000.00 combined single limit coverage with the Airport Commission and the City of Freeport as additional named insured. The certificate shall provide that the insurance cannot be canceled or materially altered without thirty (30) days prior written notification. Persons providing flight instructions at the Airport must possess a Commercial Operation Permit and be in compliance with the minimum standards of Chapter 1070 of the Codified Ordinances of the city of Freeport, including Section 1070.11 or must be in the employ of a person or firm otherwise possessing such a permit and operating in compliance with such provisions.

- 4.6 Aircraft Maintenance Service** – Unless otherwise permitted by the Commercial Operating Permit or lease, any Person desiring to conduct maintenance service within the confines of the Airport for repair of Aircraft engines, Airframe, propellers, instruments, accessories or radios, shall comply with the provisions of these Rules and Regulations and Chapter 1070 of the Codified Ordinances of the City of Freeport, and shall have his place of business located on or within the limits of the Albertus Airport.
- 4.7 Small Aircraft for Hire** – Any Person desiring to fly small Aircraft for hire for the transportation of people or property which flights shall utilize aircraft based at the Airport shall comply with the provisions of Federal Aviation Regulation Part 135, as applied to “Air Taxi” and “Commercial Operators of Small Aircraft” and shall hold a valid “Air Taxi/Commercial Operation” operating certificate issued by the Administrator of the Federal Aviation Administration authorizing such activity. Further, such person shall possess a Commercial Operating Permit authorizing such operations and shall be in compliance with the provisions of Chapter 1070 of the Codified Ordinances of the City of Freeport.
- 4.8 Large Aircraft for Hire** – any Person desiring to fly large Aircraft for hire for the transportation of people or property which flights shall utilize aircraft based at the Airport shall comply with the regulations established in Federal Aviation Regulation Part 121 and/or Part 135, as applied to certification and operation of air carriers and Commercial Operators of large Aircraft. Further, such persons shall possess a Commercial Operating Permit authorizing such operations and shall be in compliance with the Provisions of Chapter 1070 of the Codified Ordinances of the City of Freeport.
- 4.9 Management of Commercial Aviation Activity** – Any Person engaging in Commercial Activity shall provide safe, efficient services with qualified personnel for the users of the Airport and shall support the promotion and development of the Airport
- 4.10 Minimum Standards** – No Person shall engage in any Commercial Activity on the Airport unless such Person is in compliance with applicable Minimum Standards required of Persons engaged in such Activities, including the provisions of Chapter 107 of the codified Ordinances of the City of Freeport.

## Section Five

### **AIRCRAFT AND AIRCRAFT OPERATIONS**

- 5.1 Aircraft Landing and Takeoffs** – The Manager may prohibit Aircraft from landing, except for emergency landings, and Aircraft from taking off at any time he or she deems such landings and takeoffs are likely to endanger Persons or property.
- 5.2 Compliance with state, Federal and Local Rules and Regulation** – No Person shall navigate an Aircraft, land Aircraft upon, fly Aircraft from, or conduct any Aircraft operations on or from the Airport otherwise than in conformity with current Federal, State and local rules and regulations pertaining thereto.
- 5.3 Safe Operation of Aircraft** –
- a. No person shall operate an Aircraft:
    1. In a careless, reckless or negligent manor or without due care and caution for the safety of others; or
    2. at a speed which may endanger property or Persons; or
    3. when such Aircraft is constructed equipped or loaded so as to endanger property or persons.
- 5.4 Operation or Control of Aircraft** – Any person operation or controlling an Aircraft on or at the Airport shall at all times comply with the instructions, signals or directions of the city and the Airport Manager, or their representative, by whatever means communicated.
- 5.5 Communications** –
- a. Any Person operating an Aircraft in the Airspace and arriving at the Airport shall utilize the current Common Traffic Advisory Frequency (CTAF) (122.8 MHz) as of the date of these rules.
    1. announce their position and intentions prior to entering the traffic pattern.
  - b. Any Person operating an Aircraft preparing for a departure from the Airport shall use the current Common Traffic Advisory Frequency (CTAF) (122.8 MHz) as of the date of these rules.
    1. announce the runway they are departing from and their intentions.

c. PROVIDED, HOWEVER, that compliance with these provisions shall not be required of any aircraft not equipped with an operating communications radio.

d. Gliders and Ultralights shall be required to maintain an operable communication radio at all times, for all flights.

**5.6 Use of operational Area** – No Person shall use or occupy an Operational Area for any purpose except for the operation or towing of Aircraft, or a purpose connected with the maintenance and operation of the Airport, or activities associated with governmental agencies. No Aircraft shall use any part of the Operational Area considered by the Manager to be unsafe for landing or taking off, or which are not available for any other reason, the boundaries of such areas will be marked with safety cones or barricades by day and amber flashing lights by night.

**5.7 Use of Runways** – Aircraft landing at the Airport shall make the landing runway available to other by clearing the runway as promptly as possible. During an emergency, Aircraft shall not enter on a Runway from a taxiway and, if on a Runway, shall clear the runway unless otherwise directed by the Manager.

**5.8 Aircraft Taxiing** – Except for authorized procedure(s) approved by the manager, no Aircraft shall be taxied at the Airport unless a pilot certificated to operate that particular type of Aircraft, including student pilot, or an FAA certified A and P mechanic properly qualified to taxi that particular type of Aircraft, shall be at the controls.

**5.9 Control of Aircraft While Taxied/Towed** – All aircraft, which are taxied, towed or other wise moved at the Airport shall be under full control and shall move or be moved at a reasonable speed. Whenever any Aircraft is being taxied on the Operational Area or Public Apron Areas, there shall be a person at the controls of the Aircraft who shall monitor the CTAF radio transmitting frequency, if the Aircraft is equipped with an operable radio, or who, if necessary, shall cause that frequency to be monitored by another Person in the Aircraft at that time.

**5.10 Motorless Aircraft** – Except in an emergency, no motorless Aircraft may land or takeoff at the Airport without Permission.

**5.11 Noise Abatement** – The pilots of all Aircraft landing or taking off at the Airport shall comply with any noise abatement rules and procedures established by the City.

- 5.12 Aircraft exhaust or Propeller Blast** – No engine shall be started while an Aircraft is parked on the Airport or maneuvered on the Airport when the exhaust or propeller blast is likely to cause injury to Person or do damage to property. If it is impossible to taxi such Aircraft without compliance with the above, then the engine must be shut down and the Aircraft towed to the desired destination. Aircraft shall not be positioned or taxied so that propeller slipstream or jet engine exhaust is directed at spectators, personnel, hangars, shops or other buildings in such a manner as is likely to cause personal injury or property damage.
- 5.13 Parking of Aircraft** – No Person shall park an Aircraft or leave the same standing in Public Apron Areas or Public Aircraft Parking Areas at the Airport except at such places as may be prescribed or designated by the Manager for such use. When parked in such areas, every aircraft shall be firmly tied to the ground by ropes, and stakes, or otherwise properly secured or attended. The main or nose landing wheels of every Aircraft not so tied down shall be chocked with the wheel chocks. Helicopters shall have rotor braking devices, and/or rotor mooring devices applied to the rotor blades. The pilot in Command shall not disembark while the engine is operating except during agricultural aircraft reloading with operator present and closely monitoring operations.
- 5.14 Movement of Aircraft by Manager** – The Manager may move, or cause to be removed at the owner’s expense, any Aircraft parked or stored at the Airport or direct the Person having control of such aircraft to move said Aircraft from place where it is parked or stored to any other designated place without liability to the City or the Manager.
- 5.15 Taxi of Aircraft into Hanger** – No Aircraft shall be taxied into or out of a hangar under its own power.
- 5.16 Running Lights** – All Aircraft being taxied or towed or otherwise moved at the Airport shall proceed with running lights on during the period of sunset until sunrise.
- 5.17 Accident Reports** – The operator of any Aircraft involved in any accident causing personal injury or property damage at the Airport shall make a prompt and full report to said accident to the Manager. The report shall include names, addresses of all pertinent information. When a written report of an accident or incident is required by the regulations of the National Transportation Safety Board and as may be required by the

FAA as the Boards authorized representative, such report shall be promptly submitted by the operator to the proper authorities and a copy submitted to the Manager.

- 5.18 Removal of Wrecked/Disabled Aircraft** – Subject to the provisions of Section 2.4 hereof, the Operator and owner of Aircraft wrecked or disabled at the Airport shall be responsible for the prompt removal of such Aircraft and parts thereof as directed by the Manager, but shall not commence such removal without Permission. In the event of failure to comply with such direction within one (1) hour following said direction, such wrecked or disabled aircraft and parts may be removed by the Manager at the owner's or Operator's expense and without liability to the City or the Manager for damage or loss which may result in the course of such removal.
- 5.19 Payment for Use of Airport** – All charges incurred from the use of the Airport shall be payable in cash unless credit arrangements satisfactory to the Manager have been made in advance or the Manager approves payment by check.
- 5.20 Detention of Aircraft for Non-Payment** – The Manager shall have the authority to detain any Aircraft for Non-payment of any charges relating to said Aircraft which are properly due to the City.
- 5.21 Registration of Based Aircraft** – The owners or operators of all Aircraft based at the Airport shall promptly register the Aircraft with the Manager and shall promptly report any change in Aircraft ownership or operator status. Flying Clubs shall file with the Airport manager a list of members and said list shall be updated quarterly.
- 5.22 Aircraft Operational Criteria** – No Person shall operate any Aircraft on or from the Airport unless that Aircraft is airworthy, registered with and certificated by the FAA or holds a ferry permit from such agency without individual approval from the airport manager.
- 5.23 Parachute Operations** – No Person, except in an emergency, shall descend by parachute and land within or upon the Airport without permission, except in an emergency without individual approval from the airport manager.
- 5.24 Hot Air Balloon Operations** – No Person operating a hot air balloon shall take off or descend and land within or upon the Airport without Permission, except in an emergency.

## Section Six

### **AIRPORT SAFETY**

- 6.1 Safe Conduct Required** – No Person in or upon the Airport shall do or omit to do any act if the doing or omission thereof endangers or is likely to endanger Persons or property.
- 6.2 Smoking Restricted** – No Person shall smoke or carry lighted cigars, cigarettes, pipes, matches or any naked flame in or upon any Fuel Storage Area, Operational Area, Public Apron Area, or Public Aircraft Parking Area or in any other place where smoking is specifically prohibited by signs, or upon any open space within 50 feet of any fuel carrier or Aircraft.
- 6.3 Open Fires** – No person shall start open fires of any type, including barbecues, flare ports, torches or fires in containers formerly used for oil, paint or similar materials on any part of the Airport or any of its hangars or other building without Permission from the Airport Manager, except in such areas as may be specifically designated to permit such by posted signs.
- 6.4 Hazardous and Nuclear Materials** – No Person shall, without Permission, store, keep, handle, use, dispense, or transport at, in or upon the airport any hazardous or nuclear material or substance as defined by any state, federal or local law, regulation or ordinance.
- 6.5 Fire Extinguishers** – No Person shall tamper with any city-provided fire extinguisher equipment at the Airport or use the same for any purpose other than fire fighting or fire prevention.
- 6.6 Airport Machinery and Equipment** – No Person shall tamper with any Airport machinery or equipment.
- 6.7 Disposal of Petroleum Products, etc.** – All Petroleum Products, paints, solvents, acids or other hazardous or contaminating elements shall be disposed of off the Airport and in compliance with all applicable Federal and State environmental rules and regulations. In no event shall any of the above substances be disposed of or dumped in drains, catch basins or elsewhere on the Airport.

- 6.8 NOTAM Issuance** – In the event the Airport Manager believes the conditions of the airport or any part thereof to be unsafe for the landing, takeoff or maneuvering of Aircraft, it shall be with the Manager’s authority to issue a Notice to Airman (“NOTAM”) closing the entire Airport or any part thereof. The Manager shall also use the NOTAM procedure when reopening the Airport or any part thereof.

## Section Seven

### **REFUELING OPERATIONS**

- 7.1 Refueling Authority** – No Person shall conduct Refueling operations or bring onto or store Petroleum Products on the Airport without the written Permission acknowledged and accepted by such Person in writing setting forth the terms and circumstances in which such Refueling operations shall be conducted or such Petroleum Products stored. Each person engaged in such activities shall pay the fees as provided for in Section Nine of these Airport Rules and Regulations and provide a system of metering the Petroleum Products and the reporting of same approved by the Airport manager, and shall conduct such activities in accordance with Chapter 1070 of the codified Ordinances of the City of Freeport.
- 7.2 National Fire Protection Association Requirements** – All Refueling shall be in accordance with the national Fire Protection Association current standard #407 or fueling Aircraft, except to the extent a written waiver may be granted by the Airport commission upon a showing of comparable standards of safety.
- 7.3 Refueler Design and Permits** – All Refuelers shall be designed, constructed and equipped in compliance with National Fire Protection Association Standards for Vehicles servicing Aircraft with standard grades of aviation fuel. All Refuelers shall also have a valid Permit issued by the Manager.
- 7.4 Refueling/Defueling Operations** – Aircraft shall not be refueled or defueled within a hangar or other enclosure. For all Refueling and Defueling adequate fire extinguishers including at least one dry chemical fire extinguisher of twenty pounds (20 lbs.) or larger shall be available and accessible for immediate use in connection therewith.



- 7.5 Disposal of Defueling Products** – The product resulting from defueling of Aircraft shall be placed in fifty-five gallon steel drums or other special tanks or containers approved for this purpose by the Manager. Before reuse, such fuel shall be checked for identification, be refiltered and in compliance with supplier’s quality standards. Other disposition of said fuel shall be in accordance with procedures approved by the Manager in compliance with all applicable Local, State and Federal rules and regulations.
- 7.6 Refueling Operational Requirements** – Operations of the Refuelers on the Airport will be in accordance with instructions issued by the manager. All Refuelers on the Airport shall have an operable yellow rotating, beacon. The beacon shall be in operation at all times while the tender is in use during the period one half hour before sunset and one half hour after sunrise at any time when moving on the Airport.
- 7.7 Location or Refueling** – Refueling shall be conducted at least 50 feet away from any hangar or other building the Airport commission designates specific areas upon the Airport within which all refueling operations must be conducted.
- 7.8 Activities Prohibited During Refueling** – During Refueling, no Person shall operate any radio transmitter or receiver in such Aircraft or switch electrical appliances on or off in such Aircraft nor shall any Person do any act or use any material which is likely to cause a spark within 50 ft of such Aircraft. Smoking is prohibited in or about aircraft during Refueling.
- 7.9 Operation or Airborne Radar Equipment** – No airborne radar equipment shall be operated or ground tested on a Public Ramp Area or any area where in the directional beam of high intensity radar is within 300 feet or the low intensity beam (less than 50 KW output) is within 100 feet of another Aircraft, a Refueling operation, a Refueler or any Aircraft fuel or flammable liquid storage facility.
- 7.10 Personnel Present During Refueling** – During Refueling, no passenger or passengers shall be permitted to remain in the Aircraft being refueled unless a cabin attendant is at the door and a passenger ramp is in position if such ramp would be necessary for the safe and rapid debarkation of passengers. Smoking is prohibited in or about Aircraft during Refueling. Only Personnel engaged in Refueling or in the maintenance and operation of the Aircraft being refueled shall be permitted with 15 feet of the fuel tanks of such Aircraft during refueling.

- 7.11 Overflow or spillage during refueling/Clean-up** – Persons engaged in Refueling shall exercise care to prevent overflow or spillage of fuel or oil. In the event of spillage of fuel or oil, the Person responsible for the fuel spillage shall clean the spilled fuel or oil with a dry absorbent cleaning agent and dispose of the agent in a manner in compliance with the national Fire Protection Association current standard #407 and all applicable Federal and State environmental rules and regulations. In no case shall spilled fuels be allowed to enter the Airport drainage systems.
- 7.12 Overflow or spillage** – Report all overflows or spillages of fuel shall be promptly reported to the Manager. A written report of such overflow or spillage shall be filed with the Manager within twenty four hours of the event and with all appropriate Federal and State environmental authorities as required by law.
- 7.13 Overflow or Spillage** – No Engine Start-Up No Person shall start the engine or engines of any Aircraft where there is any type of fuel on the ground underneath the Aircraft. In the event of spillage of any type of fuel, no Person shall start an Aircraft engine in the area in which the spillage occurred, even though the spillage may have been cleaned until given permission for the starting of engines in the area.
- 7.14 Refueling of Automotive and Ramp Equipment** – Automotive and ramp equipment shall be fueled at fueling stations and from dispensing devices, to include mobile equipment designed for the delivery of automotive fuel, approved by the Manger and shall not, at any time, be fueled by the Refuelers.
- 7.15 Refueling of Ultralight Aircraft** – Other provisions of these rules and regulations to the contrary notwithstanding, in the case of ultralight aircraft, and other aircraft having 2-stroke engines requiring premixed fuel and oil compounds, such admixtures may be compounded and stored in the hangar areas in sealed, approved containers in a quantity intended to be consumed within the following 72 hours; provided, however, in no case shall such quantity on hand at anyone time exceed 10 gallons, and all such admixtures shall be compounded by the user for his and her personal use, and shall not be provided for sale or otherwise to any other person,. All Persons intending to compound these admixtures shall inform the Airport Manager prior to commencing compounding activities, and shall bear the risk and responsibility for the proper use and storage of all admixtures, components and containers until fully consumed. All provisions of this

Section Seven concerning Refueling Operations not inconsistent with this Section 7.15 shall apply to refueling of Ultralight aircraft.

- 7.16 Private Storage and Dispensing of Fuels** – All private storage and dispensing of Petroleum Products shall be conducted in conformance with these Rules and Regulation and chapter 1070 of the Codified Ordinances of the City of Freeport. Further, Persons wishing to engage in such options shall provide adequate insurance coverage as determine by the Airport Commission, naming the City as an additional insured, as required by the written permit which may be issued pursuant to Section 7.1 hereof. The provisions of Section Seven of these Rules and Regulation shall apply to all such private storage and dispensing operations.

## Section Eight

### **VEHICLE OPERATION**

- 8.1 Access Restricted** – Vehicular access to the Operational Area in the Airport is restricted. Aircraft operators, their employees and agents, aircraft passengers, and other persons with bona fide need to operate a vehicle upon the Airport, may do so to the extent necessary to meet such need, but in strict compliance with the provisions of this Section.
- 8.2 Traffic Control** – All traffic in or on the Airport must, at all times, comply with any lawful order, signal or direction of the Airport manager or any member of the City's Police Department. When such traffic is controlled by traffic lights, signs, mechanical or electrical signals, or pavement markings, such lights, signs, signals, and markings shall be obeyed unless the City's Police Department or the manager directs otherwise.
- 8.3 Safe Operation of Vehicles**
- a. The provision of Illinois Vehicle code (625 ILSC 5/20-204 et seq.) is hereby adopted by reference.
  - b. It is unlawful for any person upon the airport to do any act forbidden or fail to perform any act required by the provision of Illinois Vehicle Code.
- 8.4 Operation of Vehicles** – Proximity to Aircraft/Building – Notwithstanding any other provisions of this section, no Vehicle shall be operated at speeds in excess of ten (10) miles per hour within 50 feet of an Aircraft or building.

- 8.5 Parking on Public Apron and Taxiway Areas** – In the interest of public safety and to further the prevention of accidents on the Public Apron Areas and Taxiways, no Vehicle shall be permitted to operate or park on the Public Apron Areas or Taxiways of the Airport except for the purpose of loading or unloading property or persons, and then only for the minimum length of time necessary to accomplish this purpose. Operators of aircraft at the Airport shall park their vehicles in their hangars or in designated vehicle parking areas.
- 8.6 Vehicles Yield to Aircraft** - All Vehicles on the Operational Areas shall yield the right of way to any and all Aircraft in motion under all conditions, and shall assure that the Vehicle has adequate clearance from Aircraft while maneuvering.
- 8.7 Personal Injury or Property Damage Accident Report** – The driver of any vehicle involved in any accident on the Airport which results in injury of death to any Person or damage to any property shall immediately stop such Vehicle at the scene of the accident and give his or her name, address and Operator’s license and registration number to the Person injured and the report said accident to the manager and to the Police department of the City of Freeport. The driver shall also file all reports required by law and file a copy with the Manger.
- 8.8 Removal of Abandoned, Disabled or Unlawfully Parked Vehicles** – The Manger may remove, or cause to be removed, from any area of the Airport any Vehicle which is disabled, abandoned, parked in violation of the Airport Rules and Regulations, or which presents an operational problem to any other area of the Airport, at the Operator’s expense and without liability to the City or the Manger for any damage which may result in the course of such moving.

## Section Nine

### FEE’S

- 9.1 Fee Policy** – The City may, from time to time, charge and adjust, on a fair, reasonable and not unjustly discriminatory basis, various fees for various activities conducted at the Airport, including, but not limited to, Petroleum Product Flowage and Storage Fees, tie-

down fees, transient Aircraft parking fees, Commercial Operating Permit fees, landing fees and Vehicle Permit fees.

- 9.2 Petroleum Product Flowage and Storage Fees** - Current petroleum Product Flowage and Storage fees for Petroleum Products shall be set forth in a written agreement with any Person authorized to dispense such products on the Airport.
- 9.3 Payment of Petroleum Product Flowage and Storage Fees** – Petroleum Product Flowage and Storage Fees shall be paid upon the terms set forth in the agreement referenced in Section 9.2 above.
- 9.4 Other Fees** – All other fees referenced in Section 9.2 above which shall be established, from time to time, by the City, shall be paid on or before the tenth day of the month in which the fee becomes due.

## Section Ten

### **TIE-DOWN/TEMPORARY-HANGAR PERMITS**

- 10.1 Tie-Down/T-Hangar Permit** – The city may enter into a Tie-Down permit T-Hangar permit or lease (“Permit”) with a person (“Permittee”) for use of a designated space, as defined in the Permit (the “Space”), for the storage of the Aircraft. The provisions of these Airport rules and Regulations are a part of the Permit to the extent not inconsistent with any provisions of leases in effect on the effective date of these rules.
- 10.2 Use of Space** – Nothing contained in the Permit shall authorize the Permittee to conduct a Commercial Activity from the Space or the Airport without Permission in the form of a Commercial Operating Permit. The manger may relocate any Permittee to another Space on seventy-two hours notice if the Manager determines such relocation to be in the best interest of the Airport. Use of space shall be in conformance with the provisions of any lease pertaining to the space.
- 10.3 Condition of Space** – The use of any part of the Space is determined by the terms of the Lease Agreement.
- 10.4 Permittee’s Covenants** – While a Tie-Down/T-Hangar Permit is in effect and until the City has been paid in full all amounts then due under the terms of the Permit, each Permittee shall be bound by the terms of the General Hangar Lease Agreement. A copy

of the General Hangar Lease Agreement shall be provided the Permittee at the time of the permit issuance.

- 10.5 No Interest in Real Estate** – The Permit creates no interest in real property.
- 10.6 Subordination** – The permit is subject and subordinate to all laws, deeds, and existing liens, encumbrances and agreements which may now or hereafter affect the Space or the Airport and to all renewals, modifications, consolidations, replacements and extensions thereof. This clause shall be self operative and no further instrument of subordination Permittee shall execute promptly any certificate that the City may request.
- 10.7 Surrender of Space by Permittee** – Upon the expiration or other termination of the term of the Permit, Permittee shall quit and surrender the space to the Communities in good order and condition, ordinary wear excepted, and Permittee shall remove all of its property. Permittee’s obligations to observe or perform this convenient shall survive the expiration or other termination of the term of the Permit. Permittee shall be liable for all expenditures incurred by the City for breach of this covenant or any other covenant of the Permit, including but not limited to attorney’s fees and other costs.
- 10.8 Right of Entry Reserved** – The City reserves the right to enter the Space as per the terms of the Lease Agreement.
- 10.9 Maintenance of Leased Property** – All lessees and sub lessees on the Airport shall be required to maintain their leased property in a condition or repair, cleanliness and general maintenance in a manner agreeable to the Airport manager, free from all hazards, and in accordance with their individual lease agreements and the provision of Chapter 107 of the Codified Ordinances of the City of Freeport.

## Section Eleven

### **MISCELLANEOUS PROVISIONS**

- 11.1 Travel Upon Airport restricted** – No Person shall travel on the Airport except upon the roads, walks or places provided, nor occupy the roads or walks in such a manner as to hinder or obstruct their proper use. No Person shall enter or remain upon any Operational Area of the Airport except as expressly permitted by these Rules and Regulations and for the purposes herein permitted.

- 11.2 Access to Restricted Area or Operational Area Restricted** – No Person shall enter any posted restricted area of the Airport or the Operational Area without Permission.
- 11.3 Printed or Written Material Regulated** – No Person shall post, distribute or display signs, advertisements, circulars, printed or written matter at the Airport without Permission.
- 11.4 Communications Installation** – No lessees, sublessees or Permittees on the Airport will be permitted to lay, string or bury telecommunications cable at the Airport or install any type of radio communications on the Airport without Permission.
- 11.5 No Solicitation Without Permission** – No person shall solicit funds, free rides or any other service for any purpose at the Airport without Permission.
- 11.6 No Loitering** – No Person unable to give satisfactory explanation of his presence, shall loiter in and about any public waiting room building or any other appurtenance or area of the Airport under circumstances, which tend to cause alarm to a reasonable person. The manager, or a person designated by the manager, or a police officer, shall be entitled to request an explanation of such person as to the reason for his or her presence in an effort to dispel such alarm.
- 11.7 No Unauthorized Use or Display of Firearms** – No Person except authorized peace officers, United States Post office or Customs employees, express and air carrier employees, or member of the Armed Forces of the United States on official duty shall carry or display on their Person or in any Vehicle any Firearms at the Airport without Permission. Firearms transported in Vehicles and Aircraft that are broken down in a non-functioning state, stored in a container for the purposes of shipping for legal recreational uses, and not immediately accessible, are considered to have Permission. The owner of said firearms must comply with all Federal, State and Local regulations and will transport said firearms in a safe manner. The discharge of firearms on the Airport is prohibited except by the above individuals or the manger in the course of their official duties.
- 11.8 No Interference or Tampering with Aircraft** – No Person shall interfere or tamper with any Aircraft at the Airport, or start the engine of such Aircraft without the consent of the Operator or owner. This does not preempt Section 5.14

- 11.9 Found Articles** – Any Person finding any lost article at the Airport shall deliver it to the office of the Manger. Any article unclaimed by the owner within ninety days will be disposed of as required by law.
- 11.10 Cleaning of Aircraft** – Cleaning of or otherwise maintaining Aircraft shall be accomplished only in the areas designated for that purpose by the Manager.
- 11.11 Refuse Disposal** – No Person shall place, discharge or deposit in any manner, offal, garbage or any refuse in or upon the Airport except at such places designated and marked for such purpose and under such conditions as the Manager may from time to time prescribe. No Person shall keep uncovered trash containers in any area. No Vehicle used for hauling trash, dirt or any other material shall be operated on the Airport unless such Vehicle, is constructed so as to prevent the contents thereof from dropping, sifting, leaking or otherwise escaping there from Areas to be used for trash or garbage containers shall be designated by the airport Manager, and no other areas shall be used, Such areas shall be kept clean and sanitary at all times.
- 11.12 Animals Confined on Airport** – Animals may be Permitted on the Airport if on a leash or confined in such manner as to be under control, pursuant to applicable provisions of the Stephenson County and City of Freeport ordinances, which are incorporated herein by reference.
- 11.13 Use of Airport restricted** – The following areas of the Airport shall be used only for the purpose hereinafter set forth:
- a. Public Aircraft Parking areas may be used for the purpose of parking and storing Aircraft, of the purpose of servicing Aircraft with fuel and lubricants and other supplies for use thereon, and for the purpose of making minor or emergency repairs to Aircraft.
  - b. Public Apron Areas may be used for the purpose of loading and unloading passengers, baggage, cargo, mail and supplies to or from aircraft; for the purpose of servicing Aircraft with fuel and lubricants, for the purpose of performing the operations commonly known as “ramp service”, for the purpose of performing routine inspection, minor maintenance and other services upon or in connection with Aircraft incidental to performing “ramp service” and for the purpose of parking mobile equipment actively used in connection with such operations.



c. Operational Area may be used for the purpose of landing and takeoff of Aircraft and for the purpose of the ground movement of Aircraft to, from and between Public Apron Areas, Public Aircraft Parking Areas and another portions of the Airport.

d. The waiting room in the passenger terminal building may be used as a means of ingress and egress to, from and between the Public Vehicular Parking Area and the Public Aircraft Parking Area and Public Apron Areas and other portions of the airport in and adjacent to such terminal building. Such waiting room may also be used by Aircraft pilots, crewmembers and passengers, and relatives, associates and friends of such persons while awaiting the departure of or arrival of Aircraft or ground transportation.

**11.14 Airport Ingress and Egress** – As used herein the words “ingress and egress: refer to the use of areas of the Airport as a means of going from one place to another without delay. Nothing herein contained shall be construed to limit the use of any area of the Airport by officers or employees of the Airport, Airport contractors, or to prevent any policeman, fireman or other public officer or employee from acting in their official capacity.

**11.15 use of Airport Conditional** – The use of the foregoing areas and portion of the Airport is further conditioned upon the payment of such applicable fees or charges, and compliance with the Airport Rules and Regulations in effect or that may, from time to time, be prescribed by the City.

**11.16 Gender Clause** – Words of any gender used herein shall be held and construed to include any other gender, and words in the singular number shall be held to include the plural, unless the context otherwise requires.

## Section Twelve

### **ENFORCEMENT, PENALTY AND SERVERABILITY**

**12.1 Enforcement and Penalty** – Any person who violates any provisions of these Airport Rules and Regulations shall, upon conviction, be subject to the penalties and other remedies of Section 202.99 of the Codified Ordinances of the City of Freeport, as amended from time to time. In addition, any Person who knowingly or willfully violates any provision of the Airport Rules and Regulation or any rule or regulation of the Federal Aviation Administration or the State of Illinois, may be removed or evicted from the

Airport or denied use of the Airport if such denial is in the public interest as determined by the manager. Each day's continuing failure to comply with, or violation of rule or regulation or any order or instruction issued by the Airport manager authorized herein, shall constitute a separate and distinct offense. In addition to the penalties provided herein, the City shall be entitled to revoke any applicable lease agreement or to seek injunctive relief for violation of any provisions of these Rules and Regulations.

**12.2 Severability** – if any article, section paragraph, subdivision, clause or provision of these Airport rules and Regulation shall be adjudged invalid, such adjudication shall apply only to the article, section, paragraph, subdivision, clause or provision so adjudged, and the remaining provisions of the Airport rules and Regulations shall be and remain valid and effective.